

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2003-071052

12/01/2011

HONORABLE JOSE S. PADILLA

CLERK OF THE COURT

D. Berkland

Deputy

IN RE THE MATTER OF
DARREN MARTIN GLUCK

DARREN MARTIN GLUCK
725 COUNTRY CLUB DR
MAQUORETA IA 52060

AND

BELENDIA MICHELLE WIGINGTON

BELENDIA MICHELLE WIGINGTON
11275 N 99TH AVE LOT 173
PEORIA AZ 85345

IV-D JUDICIAL ASSISTANT - CCC

MINUTE ENTRY

Courtroom 122 – NWR

1:39 a.m. This is the time set for Evidentiary Hearing re: Respondent's Petition to Modify Custody, Parenting Time and Child Support, filed on September 9, 2010. Petitioner is present appearing telephonically on his own behalf. Respondent is present appearing on her own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The Court reviews and summarizes the above-captioned matter.

The Court notes that Respondent/Mother's hair follicle test dated August 19, 2011 was negative.

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The Court advises the parties that it has not received a report from Conciliation Services regarding the child interview.

Both parties advise the Court that they have received a written report regarding the child interview.

LET THE RECORD REFLECT Respondent/Mother provides the Court with a copy of the Child Interview Memorandum, prepared by Casey Young, of Conciliation Services.

Darren Gluck and Belenda Wigington are sworn.

Belenda Wigington presents testimony.

Darren Gluck presents testimony.

The Court having considered the testimony and the evidence presented, and consistent with the findings stated on the record by the Court,

IT IS ORDERED denying Respondent/Mother's request to modify custody.

IT IS FURTHER ORDERED affirming that the parties will have joint legal custody of their minor child.

IT IS FURTHER ORDERED affirming the designation of Petitioner/Father being the primary residential parent of the parties' minor child.

IT IS FURTHER ORDERED granting Respondent's request to modify parenting time.

IT IS FURTHER ORDERED that Respondent/Mother shall have parenting time with the child every summer commencing on the first Sunday – one full week following the child's release from school for her summer break. Respondent/Mother's summer parenting time shall conclude one full week prior to the commencement of the new school year.

IT IS FURTHER ORDERED that Respondent/Mother shall bear all travel costs associated with travel for the summer parenting time; all other parenting time travel costs shall be paid by the parties on a 50/50 basis.

IT IS FURTHER ORDERED that one party shall purchase the round-trip airline ticket for the child, and shall provide proof of purchase to the other party. The other party shall have ten (10) days in which to reimburse the purchaser for their 50% share of the child's airline ticket.

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IT IS FURTHER ORDERED that should either parent fail to return the child to the other parent following their scheduled parenting time, the other parent shall immediately become the primary residential parent of the child, and all parenting time shall occur at the location of the parent who would then be the primary residential parent.

IT IS FURTHER ORDERED that Mother shall have parenting time over the child's Christmas/Winter break in 2011 and in all odd-numbered years; Father shall have parenting time in 2012 and in all even-numbered years. For purposes of 2011, this shall be defined as December 22, 2011 at 11:55 p.m. through January 3, 2012 at 11:55 p.m. In all other years, the Christmas/Winter break shall be defined as 11:55 p.m. on the day the child is released from school for the break, through January 1st at 12:01 p.m.

IT IS FURTHER ORDERED that Mother shall have parenting time with the child over Spring break 2012 and in all even-numbered years. For purposes of 2012, this shall be defined as Thursday, April 5, 2012 at 11:55 p.m. through Monday, April 9, 2012 at 12:01 p.m. In all other years, Spring break shall be defined as 11:55 p.m. on the day the child is released from school through one full day prior to school recommencing at 11:55 p.m.

IT IS FURTHER ORDERED that Mother shall have parenting time with the child over the Thanksgiving holiday in 2012 and in all even-numbered years; Father shall have parenting time with the child over Thanksgiving in 2013 and in all odd-numbered years. Thanksgiving shall be defined as the day before Thanksgiving, at 11:55 p.m. through Sunday at 12:01 p.m.

IT IS FURTHER ORDERED that Mother shall be entitled to telephonic visitation with the child every Monday, Wednesday and Friday, from 4:00 p.m. through 4:30 p.m. (based on the time zone of the child). Father shall ensure the child is near a phone at 4:00 p.m. on those days. Father shall not be in the room with the child, nor shall he interfere in any way with Mother's visits with the child.

REFERRAL TO IV-D COMMISSIONER RE: CHILD SUPPORT

IT IS FURTHER ORDERED referring the above-captioned matter to the IV-D commissioner for calculation of child support.

IT IS FURTHER ORDERED directing both to complete an Affidavit of Financial Information. Father's Affidavit of Financial information shall include how much rent is paid, how much is paid for utilities how much contribution Father receives from his live-in girlfriend.

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IT IS FURTHER ORDERED that within ten (10) days of today's date Petitioner/Father shall provide Respondent/Mother with all records regarding the child's counseling.

IT IS FURTHER ORDERED that within thirty (30) days of today's date, Petitioner/Father shall provide Respondent/Mother with proof of the alcohol treatment program that he is currently attending; Father shall continue to provide Petitioner/Mother with proof that he is attending an alcohol treatment program.

IT IS FURTHER ORDERED that Petitioner/Father shall provide Respondent/Mother with the name and website of the school the child is currently attending and shall include the name of the child's home-room teacher.

IT IS FURTHER ORDERED that both parties shall have access to the child's school and medical records.

IT IS FURTHER ORDERED that Petitioner/Father shall sign a consent to release the child's school and counseling records.

IT IS FURTHER ORDERED releasing all exhibits not offered in evidence to the party causing them to be marked.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*, this 1st day of December 2011.

/s/ Hon. Jose S. Padilla

Honorable Jose S. Padilla
Superior Court Judge

ISSUED: Exhibit Release Form

3:13 p.m. Matter concludes.

FILED: Exhibit Worksheet

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All parties representing themselves must keep the Court updated with address changes.
A form may be downloaded at: <http://www.superiorcourt.maricopa.gov>.

Attachments:

DARREN MARTIN GLUCK: Obligors Financial Affidavit
BELENDIA MICHELLE WIGINGTON: Obligors Financial Affidavit